

LAW OFFICES  
OF  
BUZZARD, DARKENWALD & ALLEN

JEROME L. BUZZARD  
GEORGE O. DARKENWALD  
MARK E. ALLEN

525 COLUMBIA N.W., SUITE 203  
OLYMPIA, WASHINGTON 98501  
PHONE (206) 357-5999  
FAX (206) 734-1357

April 13, 1990

Mr. Allan Wood  
P. O. Box 3385  
Lacey, WA 98503

Mr. Russ Hobbs  
7815 Sapphire Drive S. W.  
Tacoma, WA 98498

Mr. Gary McGlothlen  
3102 Summitview  
Yakima, WA 98902

Gentlemen:

Chuck McCarthy, his staff and the Board members asked me to tell you how much they appreciated the Saturday, April 7, 1990, you spent away from your families to visit the boys' home. Your preparation and interest was obvious, we know there is still follow-up work to do, and the pay is nothing to write home about. But such dedication and commitment to help youth goes with the "K". As Andy Anderson explained, that's the reason the founders chose to associate with Kiwanis rather than with any of the other service organizations that could have and would have been happy to lend their name, logo, encouragement and support.

We are all proud to see the success of Ben Martin's dream. We are proud of the work Chuck McCarthy has done starting with the gift of the land from Ben, and the support of some dedicated individual Kiwanians to build the largest group home for boys without homes of their own in the State of Washington. There are no state institutions to take care of these boys but they are all wards of the state, dependents, and DSHS spends a lot of money taking care of them, over one and one-half million dollars each year. Even if we can't officially call ourselves a quasi-state agency, that in reality is a fairly accurate description. It is no wonder that DSHS so closely regulates, licenses and monitors the home, its occupants and its activities. It is taxpayers' money that runs the home and it is DSHS that exercises daily and ultimate control and bears ultimate responsibility for the money that is spent and the boys it is spent on.

No Kiwanis funding is in the budget, no Kiwanis employees are on the payroll and Kiwanis owns none of the assets. And that's perfectly understandable. No service organization I am aware of in the State of Washington could fund or operate a boys' home of such a scale. But it is hard to imagine a service organization that wouldn't be proud to see its name and logo associated with a program that is such a paradigm of what service clubs are all about. It is work on projects like this that makes service clubs much more than "doing lunch" and social events. Judging from what I know of and about the individual Kiwanians who support the boys' home and serve on the boards and committees, they would be there even if the logo were an R or an M or an E or an L or a KC or Sertoma.

When we cut through all of the smoke and fuss raised by some former employees (disgruntled, no surprise) and some individuals who happen to belong to a Kiwanis Club but have no more legal standing to be heard in a courtroom than any other taxpayer, the ultimate question is whether you want to even consider recommending that Kiwanis International divorce itself from the boys' home. For reasons that remain hidden from me on their private agenda, there are a few individuals whom some would call merely angry and some would term obsessed, who appear to want nothing less than that. Should you choose to seek silence and even a truce between rival clubs at all costs, you may hurt the boys' home and the boys.

Please don't get me wrong. Everyone who works for and supports the home will appreciate your suggestions, comments and criticism, and hopes for your continued enthusiastic support. You deserve to have your concerns addressed. They are legitimate because of your interest, and that is very welcome.

1. I am told that Henry Meister is claiming Chuck McCarthy stole the land from Ben Martin. Copies of the deeds are enclosed and speak for themselves. Full credit has been and continues to be given to Ben, as well it should. The land will continue to be used for the purpose for which he donated it, and I have yet to see the slightest hint in writing that he regrets his generous gift. Finally, because I am an attorney and required to note such things, the applicable statute of limitations has long since come and gone.

2. On the question of who contacted whom with the complaints, Mr. McCarthy and his staff are clear that it was Henry Meister who, again for motives clear only to him, initiated contact with former employees and stirred the embers of their discontent at being former. From the information in their personnel files, I happen to know why they might want to get back at the boss who let them go. Most disgruntled former employees do. What I think is very important to point out, however, is that no unlawful discharge action has ever been even seriously threatened against the home in the ten years I have been representing it. And no settlement has ever been made to avoid litigation. Considering a staff-to-boy ratio of approximately one to one and the loyalty and longevity of staff, a number of whom have been there since year one, three or four complaining ex-employees are not very many.

3. Because the accusation was made, the preposterous claim that Chuck McCarthy physically threatened Henry Meister needs to be addressed. Even if the obvious disparity of size, age and strength were not a factor, Chuck is not among the combat veterans on staff to whom Mr. Meister would be well advised to pay attention. I have called Chuck and his family personal friends for over forty years, and you may include me among those who call Meister's accusations fantasy.

4. I am told that Dr. Isaac Pope's nose got out of joint when Dr. Curnel's assistance was required because Dr. Pope's schedule would not allow him to come to the home. His pocket book was also affected because insurance pays for the care and medication for the boys. Anyone the least bit familiar with state administrative codes and regulations regarding such matters knows that prescription medications are never given to the boys without a physician's directive. The home operates subject to license by the State of Washington. It would be sheer folly to jeopardize the very existence of the home by the slightest carelessness with the dispensation of prescription drugs.

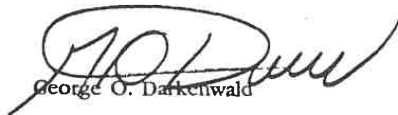
5. Were there indeed any pending investigations by the Lewis County Sheriff's office of sexual abuses or assaults, as I am told Mr. Meister alleges, I am comfortable in saying I would know about it. Very sporadic complaints "go with the territory", the home is in good graces with the law enforcement community, and I've always been kept informed in years past. The Chief Criminal Deputy of the Lewis County Sheriff's office, Gordon Spanski, meets with other members of the law enforcement and mental health communities on the grounds of the home each month as a member of the Community Overview Committee. There is no doubt in my mind that even the slightest hint of a complaint would be brought to my immediate attention.

In summary, it is my personal opinion that the boys' home is far too important a service and asset to the state and community, and Kiwanis International far too large and prestigious a service organization, to become mired down in what has all the appearances of nothing more than a rivalry between two local clubs, formented by a very few individuals for their own private goals. Any organization that bends over backwards to please everybody all the time ends up pleasing no one. Regarding the very understandable desire to seek a truce and bring Chehalis back into the camp, so to speak, a little history is important. Chehalis support has been so lacking that the Director years ago invited members of the Chehalis Sertoma Club to meet at the home twice monthly, which they continue to do. To be blunt about it, it is simply not worth the time and effort of the Director, the staff, the Board and you gentlemen to try to persuade the Chehalis Club to support a project in which it has no interest. You have been there. The success of the home speaks for itself. The home is proud to bear the Kiwanis logo and I think Kiwanis has good reason to be

proud of the work that is done to provide a home for boys in this state who have no home of their own and brag to their family and friends about being from Kiwanis.

Yours very truly,

BUZZARD, DARKENWALD & ALLEN



George O. Darkenwald

GOD/bp  
Enclosures

cc Dale Shannon  
Jim Hagen  
Lou Patton  
Chuck McCarthy